

Docket No.: 26422/25020

MARK-UPS

Claim Mark-Up

18. A method for ~~making~~using a magnetic article having a desired shape~~for therapeutic purposes~~, comprising the steps of:

providing a plurality of magnetic fibers, wherein each of said magnetic fibers has a level of magnetism;

forming a magnetic fabric from said plurality of magnetic fibers, wherein said magnetic fabric has a magnetic field according to said magnetism of said magnetic fibers; and

sewing a plurality of stitches into said magnetic fabric to hold said magnetic fabric in the desired shape of the magnetic article~~maintaining said magnetic fabric in close proximity to a body of a user.~~

REMARKS

I. Election/Restriction Requirement

In response to the Examiner's verbal election/restriction requirement, Applicant has elected without traverse claims 1-10 and 18-29 in the present application. Accordingly, Applicant hereby cancels claims 11-17 while reserving the right to file a divisional application on these cancelled claims.

II. Claim Amendments

With the election of claims 1-10 and 18-29 and the cancellation of claims 11-17, two independent claims remain. The amendments to claim 18 transform the claim from a method for

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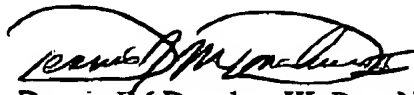
using the magnetic article to a method for making a magnetic article. The new claims are particularly directed to the magnetic fabric with sheath-core fibers. No new matter is added by this amendment, and support for each of the new claims and the amendment to claim 18 is evident from the existing claims and the detailed description.

The amendments to claim 18 are intended to avoid any further restriction as between the process claims and product claims. The process of making the magnetic article and the magnetic article product are not distinct inventions because the process as claimed cannot be used to make different products and because the product as claimed cannot be made by a materially different process. If the Examiner believes that modifications to either the method claims or product claims would more clearly indicate the identity of inventions therebetween, he is invited to telephone the undersigned at the number provided below.

III. Conclusion

Kindly consider this preliminary amendment and enter it into the record of this application. If, for any reason, personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,



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